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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 IN RE: BEXTRA AND CELEBREX
13 MARKETING SALES PRACTICES AND
14 PRODUCT LIABILITY LITIGATION

MDL NO. 1699
District Judge: Charles R. Breyer

15 This Document Relates To:

STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE

16 *Donald G. Newmann v. Pfizer Inc.*
(05-5359 CRB)

17 *Lehnen, Marie, et al. v. G.D. Searle, et al.*
18 (06-2669 CRB)

19 *Marcy A. West v. Merck & Co., Inc., et al.*
(06-3015 CRB)

20 *Jerry M. Dance v. Merck & Co., Inc., et al.*
21 (06-3016 CRB)

22 *Edward Spinaio v. G.D. Searle, et al.*
(06-3036 CRB)

23 *Lonnie Case v. Merck & Co. Inc., et al.*
24 (06-3180 CRB)

25 *Richard Menzel v. Merck & Co., Inc., et al.*
(06-3181 CRB)

26 *Vincent Calamia v. Merck & Co., Inc., et al.*
27 (06-3182 CRB)

28 *Jessie Abbott v. Merck & Co., Inc., et al.*
(06-3306 CRB)

1 *Berlin Jenkerson v. Merck & Co. Inc., et al.*
2 (06-3307 CRB)

3 *Thomas Kasper v. Merck & Co. Inc., et al.*
4 (06-3309 CRB)

5 *Josephine Tourville v. Merck & Co., Inc., et al.*
6 (06-3310 CRB)

7 *Arzie Stephens v. Merck & Co., Inc., et al.*
8 (06-3311 CRB)

9 *Henry Kahn, et al. v. Pfizer Inc., et al.*
10 (06-4600 CRB)

11 *Carol Copeland v. G.D. Searle LLC, et al.*
12 (07-3023 CRB)

13 *Suzanne Steinbach v. Merck & Co., Inc., et al.*
14 (07-0495 CRB)

15 *John Moseley v. Merck & Co., Inc., et al.*
16 (07-0496 CRB)

17 *Joni Hebblethwaite v. Merck & Co., Inc., et al.*
18 (07-0498 CRB)

19 *Kevin Miller v. Merck & Co, Inc., et al.*
20 (07-0596 CRB)

21 *Lena Scher v. Merck & Co., Inc., et al.*
22 (07-2533 CRB)

23 *Laurence Schmidt v. Merck & Co., Inc., et al.*
24 (07-2534 CRB)

25 *Patty Foreman v. Merck & Co., Inc., et al.*
26 (07-2535 CRB)

27 *Robert Miller v. G.D. Searle LLC, et al.*
28 (07-3127 CRB)

Robert J. Smith, Jr., et al. v. Merck & Co., Inc., et al.
(07-3488 CRB)

Williamson, Wilburn, et al. v. Merck & Co., Inc., et al.
(07-3489 CRB)

Come now all the Plaintiffs in the above-entitled actions and Defendants, by and through
the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby

1 stipulate to the dismissal of these actions **with prejudice** as to all plaintiffs named therein with
2 each side bearing its own attorneys' fees and costs.

3
4 DATED: 11-2, 2009

By: 

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10 DATED: Nov. 4, 2009

By: 

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Defendants' Liaison Counsel

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18 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,**
19 **IT IS SO ORDERED.**

20 Dated: NOV 13 2009


Hon. Charles R. Breyer
United States District Court